REMARKS

Claims 1-15 are all the claims pending in the application. Claims 1-15 presently stand rejected. By the present Amendment, Applicant amends claims 1, 5, 7, and 13 and cancels claims 4 and 12 without prejudice or disclaimer. No new matter is added. The present Amendment addresses each point of rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

I.   Formalities

Applicant thanks the Examiner for acknowledging the claim to foreign priority under 35 U.S.C. § 119, and receipt of the certified copy of the priority document submitted on July 19, 2004.

II.   Summary of the Office Action

The Examiner rejected claims 1, 2, and 6 under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 6,167,464 to Robert J. Kretschmann (hereinafter "Kretschmann"). Claims 3 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kretschmann in view of U.S. Patent No. 5,879,092 to Jeffrey A. Brannan (hereinafter "Brannan"). Claims 4, 5, 12 and 13 were rejected 35 U.S.C. § 103(a) as being unpatentable over Kretschmann in view of Brannan and further in view of U.S. Patent No. 5,963,145 to Marcus Escobosa (hereinafter "Escobosa"). The Examiner also rejected claims 7-9, 11, 14 and 15 but failed to present detailed grounds of rejection in support of those rejections.

III.   Prior Art rejections

Claims 1 and 7 are all the independent claims.

Claims 1-6

Applicant respectfully traverses the grounds of rejection summarized above. With

reference to amended claim 1, Applicant has incorporated the subject matter of claim 4 into

claim 1. As a result, claim 1 now recites: "in the case of the reception of a plurality of different

signals transmitted by transmitters in different installation parts, different priorities are

automatically assigned to the received signals."

In conventional techniques, mobile devices can display information regarding installation

parts in the form of images and alphanumeric data. The operator must manually retrieve data

pertaining to a particular installation part from a central database. A conventional system does

not automatically provide the specific information. Consequently, the operator has to navigate in

the database whenever he needs information about a particular installation part.

As a result, the operator needs to have knowledge of the structure of the entire installation

as well as of the database itself. To assist the operator, means to determine the location of the

operator are provided by which data, relevant only to proximate machines, is relayed to the

operator. *See* Kretschmann col. 2, lines 30-33. However, the operator still has to navigate

through the information of a plurality of installation parts, even though the information has

already been narrowed down. There is no implementation in the prior art that provides a

mechanism to handle a situation in which a mobile device receives a plurality of different signals

that identify different installation parts.

In an exemplary, non-limiting embodiment of the present invention, however, the

operator automatically receives information which belongs to an installation part on which the

operator is situated without a need to preselect data. No tedious step-by-step retrieval of data

from a central unit is necessary. "Instead, the present invention permits direct insight from a

mobile unit on-site into the information pertaining to the respective installation part." *See* paragraph no.[008] of the specification. To achieve that result in the case of a reception of radio signals of multiple installation parts, different priorities are automatically assigned. The assignments are configurable by the operator. Accordingly, the operator automatically gets the relevant information about an installation part presented as soon as the operator comes into the vicinity of the installation part, without demanding a selection from the operator. Thus, the operator is not required to have special knowledge about the structure and design of the industrial installation.

It will be appreciated that the foregoing remarks relate to the invention in a general sense, the remarks are not necessarily limitative of any claims and are intended only to help the Examiner better understand the distinguishing aspects of the claims mentioned further below.

Amended claim 1, *inter alia*, recites "in the case of the reception of a plurality of different signals transmitted by transmitters in different installation parts, different priorities are automatically assigned to the received signals."

Regarding amended claim 1, Kretschmann discloses a human/machine interface (HMI) that receives data from a "central processor to provide a local picture of the control processes related to the machines near which [the HMIs] are located." *See* col. 1, lines 60-63. "[T]he HMI . . . provid[es] . . . control data . . . [that can be] associated with . . . [a] group of machines located near the HMI." *See* col. 2, lines 9-12. That is possible because predefined tasks are associated with users and machines and stored in the central processor. These tasks are identified by the processor and executed. The task transmits the data to the HMI.

As acknowledged by the Examiner, Kretschmann does not address the issue of receiving a plurality of unique location tag signals associated with a plurality of machines by an HMI. In

addition, Kretschmann does not disclose or suggest the assignment of different priorities. This is not necessary in Kretschmann because the data transmitted to the HMI primarily depends on the predefined tasks and not on the location information and priorities.

However, regarding former claim 4, the Examiner contends that Brannan and Escobosa cure this deficiency. Applicant respectfully disagrees.

Brannan is relied upon only for its alleged disclosure of teaching priority for prioritizing assigning signals and Escobosa is relied upon only for its alleged disclosure of teaching selecting equipment to receive and assign signals. (*See* page 6 of the Office Action).

The Examiner cites col. 2, lines 7-21 of Brannan as teaching priority for prioritizing assigning signals. In the cited paragraph, Brannan discloses problems in the prior art that may result from the fact that not all necessary fault conditions of a journal printer are indicated by the system and respectively reported. Because the journal printer is not capable of detecting all important kinds of paper jams and such paper jams go undetected until a visual inspection is made, hardcopy records of transactions can be lost.

However, the fact that only the most severe paper jams trigger paper jam signals in the prior art of Brannan, and the fact that Brannan wants to overcome that disadvantage, does not disclose or suggest priority for prioritizing assigning signals. If a system is simply not capable of detecting fault conditions, as disclosed in the prior art of Brannan, one cannot conclude that the system automatically assigns different priorities to received signals, as recited in amended claim 1.

In addition, although Brannan teaches a plurality of fault conditions and a processor that is programmed to "provide fault signals when a combination of certain conditions are detected" (*see* col. 4, lines 19-22), that does not disclose or suggest that the processor automatically assigns

different priorities to the received fault conditions. By contrast, in Brannan, based on the

different fault conditions, the processor generates a unique fault signal and does not assign

different priorities to a plurality of signals.

Consequently, Brannan does not teach assigning priorities to a number of received

signals and therefore fails to cure the deficiency of Kretschmann.

Escobosa is only relied upon for its alleged disclosure of selecting one of the installation

parts. However, Escobosa also fails to teach automatically assigning different priorities to

received signals. Escobosa teaches a system for providing wireless pointer control. "Items such

as lamps, stereos, CD players, etc, can be selected by pointing at them. Subsequent commands

can then be received and acted upon by the selected device and ignored by the non-selected

devices" *See* col. 2, lines 55-59. The selection is accomplished by generating a signal having

multiple signal components with different frequencies and by interpreting the multiple signal

components to properly select a particular piece of equipment. *See* Abstract.

However, selecting devices, as disclosed in Escobosa, is clearly not assigning different

priorities. Generating a signal having multiple signal components, as disclosed in Escobosa, fails

to disclose or suggest assigning different priorities to the received signals. Consequently,

Escobosa also fails to cure the deficiency regarding the subject matter of former claim 4 so that

the combined teachings of these references (Kretschmann, Brannan, and Escobosa) would not

have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of

amended claim 1.

Therefore, "in the case of the reception of a plurality of different signals transmitted by

transmitters in different installation parts, different priorities are automatically assigned to the

received signals," as recited in claim 1 is not disclosed by Kretschmann, which lacks the automatically assignment of priorities to the received signal.

Accordingly, Applicant submits that the rejection of claim 1 is now overcome. Without further commenting on, or agreeing with, the grounds of rejection of claims 2-3 and 5-6, these claims are patentable at least by virtue of their dependency on claim 1.

Claims 7-15

Claims 7-9, 11, 14 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatantable over Kretschmann in view of Brannan and further in view of Escobosa. Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatantable over Kretschmann in view of Brannan. Claim 13 has been rejected under 35 U.S.C. §103(a) as being unpatantable over Kretschmann in view of Brannan and further in view of Escobosa.

Applicant submits that claim 7 is patentable for at least analogous reasons as claim 1. Without further commenting on, or agreeing with, the grounds of rejection of claims 8-15, these claims are patentable at least by virtue of their dependency on claim 7.

III.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

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Respectfully submitted,

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